

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3, Canjilon Creek

Subfile No. CHCJ-001-0006

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendant:

Donald Martinez

CHCJ-001-0006

and as grounds therefore plaintiff states:

1. The above-named defendant is in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed October 18, 2010 (Doc. No. 9968).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendant incorporating the terms of the State's proposed consent order in Subfile CHCJ-001-0006 and in conformance with the Office of the State Engineer Hydrographic Survey for Section 3 of the Rio Chama Stream, Canjilon Creek, as amended.

DATED: October 25, 2010

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of October 2010 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Donald Martinez
P.O. Box 52
El Rito, NM 87530

/s/ Ed Newville

EDWARD G. NEWVILLE